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Form PTO-1449 (modified)

Atty. Docket No.  
11899.0195.DVUS01  
(MOBT:195-1)

Serial No.

List of Patents and Publications for Applicant's

Applicant  
David A. Fischhoff et al.

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:  
August 31, 2001Group:  
165311011 U.S. PTO  
25966/60  
09/943692  
08/31/01U.S. Patent Documents  
See Page 1Foreign Patent Documents  
See Page 1-2Other Art  
See Page 2-4

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
28	A1	4,766,203	08/23/88	Krieg et al.	424	2893	461
	A2	4,771,131	09/13/88	Hernstadt et al.	536	23.71	
	A3	5,254,799	10/19/93	DeGreve et al.	800	205302	07/23/90
	A4	5,300,629	04/05/94	Casteels et al.	530	326	11/14/91
	A5	5,317,096	05/31/94	DeGreve et al.	536	23.71	02/05/93
	A6	5,338,544	08/16/94	Donovan	424	93.2	
	A7	5,495,071	02/27/96	Fischhoff et al.	800	205302	
	A8	5,500,365	04/19/96	Fischhoff et al.	530 435	350 418	
	A9	5,516,693	05/14/96	Vaeck et al.	435	320.1	03-04-87
	A10	5,545,565	08/13/96	DeGreve et al.	435	320.1	05-22-95
	A11	5,760,181	06/02/98	DeGreve et al.	530	350	11/06/96
	A12	5,763,241	06/09/98	Fischhoff et al.	200 435	1223 279	
	A13	5,767,372	06/16/98	DeGreve et al.	800	205302	06/05/95
	A14	5,843,898	12/01/98	DeGreve et al.	514	12	06/05/95

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
28	B1	0 142 924	5/1985	EPO			
	B2	0 149 162	7/1985	EPO			
	B3	0 193 259	9/1986	EPO			
	B4	0 202 739	11/1986	EPO			

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U.S. Patent Documents See Page 1	Foreign Patent Documents See Page 1 -2	Other Art See Page 2-4

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Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
01	B5	0 206,613	12/1986	EPO			
	B6	0 213 818	3/1987	EPO			
	B7	0 290 395	11/1988	EPO			
	B8	0 292 435	11/1988	EPO			
	B9	0 305 275	3/1989	EPO			
	B10	0 318 143	5/1989	EPO			
	B11	0 116 713	5/1990	EPO			
	B12	WO 86/01536	3/1986	WIPO			
	B13	0 731 170	9/1996	EPO			
	B14	WO 84/02913	8/1984	WIPO			
	B15	0 359 472	3/1990	EPO			

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
01	C1	Adang, M.J., et al., Applications of a <i>Bacillus thuringiensis</i> Crystal Protein for Insect Control, Abstract J20 from <i>Journal of Cellular Biochemistry Supplement 10C-UCLA Symposia on Molecular &amp; Cellular Biology</i> (1986).
	C2	Barton, et al., <i>Bacillus thuringiensis</i> - $\delta$ -Endotoxin Expression in Transgenic <i>Nicotiana tabacum</i> Provides Resistance to Lepidopteran Insects, <i>Plant Physiol.</i> , vol. 85, pp. 1103-1109 (1987).
	C3	Hernstadt, et al., A new Strain of <i>Bacillus thuringiensis</i> with Activity against coleopteran Insects, 6062 <i>Biotechnology</i> , Apr. No. 4, pp. 305-308 (1986).
	C4	Hofte, et al., <i>Microbiological Reviews</i> , vol. 53(2), pp. 242-255 (Jun. 1989).

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*Patricia E. Byrd*

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
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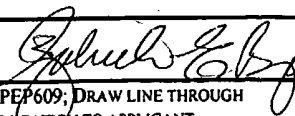
### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C5	Höfte, H., et al., Abstract K86 (no title) from <i>Journal of Cellular Biochemistry Supplement 10C-UCLA Symposia on Molecular &amp; Cellular Biology</i> (1986).
	C6	Höfte, H., et al., Structural and Functional Analysis of a Cloned Delta Endotoxin of <i>Bacillus thuringiensis berliner 1715</i> , <i>Eur. J. Bioche.</i> , 161: 273-280 (1986).
	C7	McPherson, S.A., et al., <i>Biotechnology</i> , vol. 6, pp. 61-66 (1988).
	C8	McPerson, S., et al., Abstract H-44, <i>Abstracts of the Annual Meeting of the American Society for Microbiology</i> (VS), vol. 88, No. O, p. 152 (1988).
	C9	Whiteley, H.R., <i>Ann. Rev. Microbiol.</i> , vol. 40, pp. 549-576 (1986).
	C10	Vaeck, et al., Transgenic plants protected from insect attack, <i>Nature</i> , vol. 328, pp. 30-37 (1987).
	C11	Adang, M.J., et al., The reconstruction and expression of <i>Bacillus thuringiensis</i> cryIIIA gene in protoplasts and potato plants, <i>Plant Molecular Biology</i> , 21: 1131-1145 (1993).
	C12	Bernhard, Studies on the delta-endotoxin of <i>Bacillus thuringiensis</i> var. <i>tenebrionis</i> , <i>FEMS Microbiological Letters</i> 33, pp. 261-265 (1986).
	C13	Klein, T.M., et al., Factors Influencing Gene Delivery into <i>Zea Mays</i> Cells By High-Velocity Microprojectiles, <i>Bio/Technology</i> , Vol. 6, pp. 559-563 (1988).
	C14	Klier, A., et al., Cloning and expression of the crystal protein genes from <i>Bacillus thuringiensis</i> strain <i>berliner 1715</i> , <i>EMBO J.</i> , 1: 791-799 (1982).
	C15	Kozziel, M.G., et al., Field Performance of Elite Transgenic Maize Plants Expressing an Insecticidal Protein Derived from <i>Bacillus thuringiensis</i> , <i>Bio/Technology</i> , vol. 11, pp. 194-200 (1993).
	C16	Krieg, et al., <i>Bacillus thuringiensis</i> var. <i>tenebrionis</i> : ein neuer, gegenüber Larven von Coleopteren wirksamer Pathotyp, <i>Pathotyp. Z. Ang. Ent.</i> , 96: 500-508 (1983).
	C17	Krieg, et al., Neue Ergebnisse über <i>Bacillus thuringiensis</i> var. <i>tenebrionis</i> unter besonderer Berücksichtigung seiner Wirkung und den Kartoffelkäfer ( <i>Leptinotarsa decemlineata</i> ), <i>Ang. Schadlingshde., Pflanzenschutz., Umweltschutz</i> , 57: 145-150 (1984).

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3/12/04

DATE CONSIDERED:





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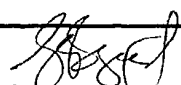
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Exam. Init.	Ref. Des.	Citation
	C18	Murray, E.E., et al., Analysis of unstable RNA transcripts of insecticidal crystal protein genes of <i>Bacillus thuringiensis</i> in transgenic plants and electroporated protoplasts, <i>Plant Molecular Biology</i> , 16: 1035-1050 (1991).
	C19	Perlak, F.J., et al., Insect Resistant Cotton Plants, <i>Bio/Technology</i> , vol. 8, pp. 939-943 (1990).
	C20	Perlak, F.J., et al., Modification of the coding sequence enhances plant expression of insect control protein genes, <i>Proc. Natl. Acad. Sci. USA</i> , 88: 3324-3328 (1991).
	C21	Perlak, F.J., et al., Genetically improved potatoes; protection from damage by Colorado potato beetles, <i>Plant Molecular Biology</i> , 22: 313-321 (1993).
	C22	Schnepf, H.E., et al., Cloning and expression of the <i>Bacillus thuringiensis</i> crystal protein gene in <i>Escherichia coli</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 78: 2893-2897 (1981).

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